

DEVIN DERHAM-BURK #104353
CHAPTER 13 STANDING TRUSTEE
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Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA - DIVISION 5

In re:

LAAN, HERMINIO SERRANO

)
)
) Chapter 13
) Case No. 10-55761 ASW

)
) FIRST AMENDED TRUSTEE'S OBJECTION TO
) CONFIRMATION WITH CERTIFICATE OF SERVICE

)
) Pre-Hearing Conference Date: SEPTEMBER 13, 2010
) Pre-Hearing Conference Time: 2:00 PM
) Place: 280 S. 1st Street Room 3020
) San Jose, CA
) Judge: Arthur S. Weissbrodt
)
)

Debtor(s)

Devin Derham-Burk, Trustee in the above matter, objects to the Confirmation of this 12% Plan for the following reasons:

1. The debtor has failed to appear and/or submit to examination under oath at the meeting of creditors under 11 U.S.C. §341(a). Without conducting this examination, the Trustee is unable to adequately investigate the debtor's financial affairs as she is required to do pursuant to 11 U.S.C. §1302(b)(1) (incorporating 11 U.S.C. §704(a)(4)). In addition, until the debtor is examined by the Trustee, she is unable to recommend confirmation of the debtor's plan. The Trustee requests that the debtor appear at a rescheduled meeting of creditors.

1 2. The debtor has failed to provide the Trustee with either or both 1) a government-issued
2 photo identification, or 2) proof of a social security number. *See* 11 U.S.C. §521(h).
3 Without being able to establish the identity of the debtor, the Trustee is unable to
4 adequately investigate the financial affairs of the debtor or recommend confirmation. The
5 Trustee requests that the debtor provide her with verification of both identity and social
6 security number.

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8
9 Dated: August 2, 2010

/S/ Devin Derham-Burk

Chapter 13 Trustee

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Said envelopes were addressed as follows:

LAW OFFICES OF EDDY HSU
111 N MARKET ST #300
SAN JOSE CA 95113

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